

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Systems And Methods For Electrosurgical Myocardial Revascularization** the specification of which    is attached hereto or X was filed on November 22, 1996 as Application No. 08/753,227 and was amended on    (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

<input type="checkbox"/> Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
<input checked="" type="checkbox"/> PCT	US94/05168	May 10, 1994	Yes <u>X</u> No <u>  </u>
<input type="checkbox"/>			Yes <u>  </u> No <u>  </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

<input type="checkbox"/> Application No.	Filing Date
<input type="checkbox"/>	
<input type="checkbox"/>	

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/562,331	11/22/95	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
08/485,219	06/07/95	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
08/059,681	05/10/93	<u>  </u> Patented <u>  </u> Pending <u>X</u> Abandoned
07/958,977	10/09/92	<u>X</u> Patented <u>  </u> Pending <u>  </u> Abandoned
07/817,575	01/07/92	<u>  </u> Patented <u>  </u> Pending <u>X</u> Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James M. Heslin, Reg. No. 29,541

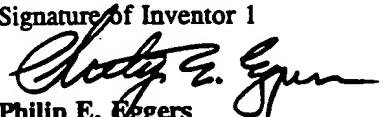
John T. Raffle, Reg. No. 38,585

Mark D. Barrish, Reg. No. 36,443

Send Correspondence to: James M. Heslin <b>TOWNSEND and TOWNSEND and CREW LLP</b> Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  Name: James M. Heslin Reg. No.: 29,541 Telephone: (415) 326-2400
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Full Name of Inventor 3	Last Name	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Philip E. Eggers	Signature of Inventor 2 Hira V. Thapliyal	Signature of Inventor 3
Date <u>January 10, 1997</u>	Date	Date